

Rev 09/03

Application: 09/589,299  
Filed: June 7, 2000  
TC Art Unit: 2677  
Confirmation No.: 9186

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Date: March 20, 2006  
Attorney  
Docket No.: MIOPT-005XX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: MARK B. SPITZER

Entitled: COMPACT, HEAD-MOUNTABLE DISPLAY DEVICE WITH SUSPENDED EYEPIECE ASSEMBLY

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**BEST AVAILABLE COPY**

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 20, 2005 of the Examiner finally rejecting claims 1-12, 21-38 and 42-44.

The Commissioner is hereby authorized to charge payment of \$500.00 to cover the Notice of Appeal fee to Deposit Account No. 23-0804.

The following checked items are appropriate:

A timely response to the final rejection:

☐ has been filed ☒ is hereby filed

An extension of time to respond to the final rejection:

1. ☐ was requested on \_\_\_\_\_ for \_\_\_\_ month(s);

2. ☐ is hereby requested for \_\_\_\_ month(s) and a check in the amount of \$\_\_\_\_\_ for the extension fee is enclosed.

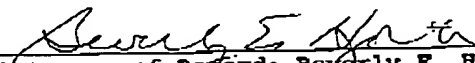
3. ☒ is included on the enclosed amendment transmittal form along with the appropriate fee.

☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Dennis-Doon Chow, TC Art Unit 2675, Fax No. (571) 273-8300 on March 20, 2006

SUBMIT IN TRIPLICATE  
BEH/dkh/333977

  
Attorney of Record: Beverly E. Hjorth  
Registration No.: 32,033